

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JUANITA BALDERAS,

Plaintiff,

V.

ILLINOIS CENTRAL RAILROAD
COMPANY, ERICK CHASKO,
and MARCOS SALAMANCA,

Defendants.

Case No. 20-cv-01857

JURY TRIAL DEMANDED

ILLINOIS CENTRAL RAILROAD COMPANY'S MOTION TO DISMISS

Pursuant to Federal Rules of Civil Procedure 12(b)(6), Defendant, Illinois Central Railroad Company, through its counsel, Johner T. Wilson III and Jessica E. Chang of Dinsmore & Shohl LLP, respectfully requests that this Honorable Court dismiss the Fifth Claim for Relief in the Complaint filed by Plaintiff Juanita Balderas, (“Plaintiff”) with prejudice. As set forth in the accompanying Memorandum of Law, Plaintiff’s claims against Illinois Central Railroad Company are legally insufficient, and Plaintiff is unable to support her allegations that Illinois Central Railroad Company is liable under the Illinois Gender Violence Act. Thus, Illinois Central Railroad Company respectfully requests that this Court dismiss the Fifth Claim for Relief in Plaintiff’s Complaint as to Illinois Central Railroad Company.

Dated: August 11, 2020

A handwritten signature in black ink, appearing to read "J. Wilson III", with a stylized flourish at the end.

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CERTIFICATE OF SERVICE

I certify that on August 11, 2020, I electronically filed the foregoing using the CM/ECF system, which, consistent with Fed. R. Civ. P. 5, will effect service upon the following counsel of record:

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/s/ Johner T. Wilson III
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